• The Detroit News | Thursday, April 28, 2011 | 5A

# 'She didn't have a pulse'



Frederick, left, and Lynette Furneaux, grandparents of Lily Lynette Furneaux-Wolfenbarger, 2, who died last year, listen to testimony in a preliminary examination Wednesday in New Baltimore

# Paramedic testifies of finding chaotic scene, unconscious toddler

BY CHRISTINE FERRETTI The Detroit News

New Baltimore — A paramedic broke down in tears Wednesday as she recalled an afternoon last year when she entered a New Haven home and found an unclothed and unconscious 2-yearold girl lying in the middle of the living room floor.

"She was unresponsive, not breathing and she didn't have a pulse," Richmond-Lenox EMS paramedic Katie Eisen said.

Eisen testified about the chaotic scene during the preliminary examination Wednesday of Renee Marie King in 42nd District Court in New Baltimore. The 29-year-old is charged with felony murder, first-degree child abuse and first-degree criminal sexual conduct on allegations she sexually assaulted and killed her stepdaughter, Lily Lynette Furneaux-Wolfenbarger. The hearing resumes today.

Prosecutors say King and Lily



Renee Marie King, 29, is accused of sexually assaulting and killing her stepdaughter.

Community that King shared with Lily's father, Jeff Wolfen-

Eisen said while working on the child following a 911 call shortly after 2 p.m., King told her she wasn't sure what happened. "She said she was in the shower and came out and found her," Eisen said. After the comment, King's attorney, Michael Dennis, pointed out that his client made several inconsistent comments were alone Nov. 20 at the home in to Eisen that day about what hapthe Meadow Creek Mobile Home pened. She also told the paramedic that she had attempted to resuscitate Lilv. he said. There was evidence of a sexual

assault, said Macomb County Medical Examiner Daniel Spitz.

Lily's mother, Lauren Furneaux, testified Wednesday that she and Wolfenbarger shared custody of the child. Wolfenbarger cared for Lily weekly from 6 p.m. Monday to 6 p.m. Thursday and every third weekend.

Furneaux said her daughter was in good health when they left her home in Lapeer at 8:30 a.m. that day to meet Wolfenbarger at a gas station to exchange Lily for the weekend. The 24-year-old said she handed her to Wolfenbarger and it was the last time she saw her alive.

Furneaux said Lily "didn't want to go" and was often troubled when she returned from visits at his home.

"She was very upset when she came back and very clingy," Furneaux said, adding she had on occasion noticed cuts, bumps and bruises on her daughter.

Furneaux confirmed for Dennis that she never alleged abuse or contacted Child Protective Services.

cferretti@detnews.com

Maria Miller, spokeswoman

St. Andre said he is ready to re-

Lambert said he respects St.

Andre and believes he will be

spardo@detnews.com

(313) 222-2112

cleared of any wrongdoing.

on the case.

sume his post.

# WAYNE

# SOUTHGATE Southgate Schools sends

56 teachers layoff notices

Southgate Community Schools sent layoff notices to 56 teachers Wednesday as it works to ease a \$1.7 million deficit. The school board voted for the job cuts Tuesday night, said Nancy Nagle, associate superintendent. About half of the laid-off teachers may be called back before the start of the school

Under the teachers' contract, the district had to send layoff notices before April 30. The school district also is considering privatizing some noninstructional services and putting a spending freeze on nonessential supplies and textbook purchases, Nagle said.

# **NORTHVILLE**

# Residents invited to help with Park Clean Up

Wayne County Commissioner Laura Cox, R-Livonia, has invited residents of western Wavne County to participate in the seventh annual Park Clean Up from 9 a.m. to noon May 7 at Bennett Arboretum in Northville. Registration will be at 8:30 a.m. at Cass Benton Pavilion.

Volunteers will collect debris and remove invasive species. The first 50 volunteers to register will receive a free pair of Detroit Tigers tickets. To register, call Cox's office at (313) 224-0946.

# OAKLAND

# **CLAWSON**

# Woman, 40, in critical condition after house fire

A 40-year-old woman was listed in critical condition Wednesday following a fire in her home on the 600 block of Goodale. She was taken to Beaumont Hospital before being transferred to Detroit Receiving Hospital, Oakland County Sheriff's officials said The fire was reported about 10:15 p.m. Tuesday in the home near Rochester Road and 15 Mile. A cause remains under investigation. Officials didn't release the victim's

# **FARMINGTON HILLS**

# Neighbor calls police after spat about pliers on fence

A recent assault and battery report on Silver Lake Road tests the proverbial premise that "good fences make good neighbors." Police

were called to an address at 8 p.m. Tuesday by a 47-year-old man who said his 46-year-old neighbor was out working in the vard and placed a pair of pliers on top of a wooden fence post that separated their properties. When the alleged victim, who owns the fence, went to remove the pliers, he said the suspect hit him in the arm. He said he now wants to prosecute because he believes his neighbor intentionally left the pliers on the fence to

# **ROCHESTER HILLS**

upset him.

# **Mayor going to Germany** for climate program

Mayor Bryan Barnett will join nine other elected officials from across the United States for a trip to Germany in June to participate in the Transatlantic Climate Bridge, an international exchange program established in 2009 by the governments of both countries. The program is intended to examine policies related to sustainable energy and global climate change. All travel expenses will be covered by the German government, according to a statement released by the city.

# MACOMB

# **ROSEVILLE**

# 3 charged with stealing 1 car, trying for another

Three people have been charged with stealing a car and attempting to take another one Tuesday from parking lots in Roseville.

Brandy Marie Stribling, 19, and Timothy Dewayne Hobson, 20, both of Detroit, were arraigned in 39th District Court on felony charges including unlawful driving away and breaking into a vehicle, said Roseville Deputy Police Chief Anthony Cona. The third suspect is a minor, and police are not releasing his name. A judge set a \$7,500 bond for Stribling and a \$3,000 bond for Hobson, officials said.

# **MOUNT CLEMENS**

# Man pleads guilty to manslaughter in fight

A Warren man accused in a fatal fight with his friend and neighbor pleaded guilty in Macomb County Circuit, the same day a trial was to begin.

Prosecutors allege James Jaynes, 46, struck James Hilla, 52, in the abdomen with a wood plank on June 8, 2010, during a night of drink-

ing outside Hilla's home on Eight Mile. An autopsy ruled Hilla died of internal bleeding from a lacerated spleen. Sentencing is set for May 25. If convicted, Jaynes faces up to 15 years in prison.

# **CLINTON TOWNSHIP**

# Macomb CC raises tuition, appoints trustee **Macomb Community**

College raised tuition 5 percent and appointed a new trustee this week. The college's Board of Trustees on Tuesday authorized the increase, which raises resident tuition by \$4 to \$84 per credit hour. The increase goes into effect with the fall semester. The move is designed to help address a projected budget deficit of \$9 million to \$12 million. Also Tuesday, the board named Charley G. Jackson Jr. a trustee. Jackson succeeds Frank DeSantis, who resigned in March for personal reasons. Jackson, a law school student, works for the Army Contracting Command in Warren.

# LIVINGSTON

### COUNTYWIDE

# Residents can drop off hazardous waste May 14

The Livingston County Drain Commissioner's Office will hold three household hazardous waste collections this year. The first collection is 9 a.m. to noon May 14 next to the Livingston County Animal Shelter on South Highlander Way.

The program is open to Livingston County residents and proof of residency is required.

# BRIGHTON

## City starts schedule for street-sweeping operation

The city of Brighton recently began its warm-weather street sweeping operation. Residential streets are being cleaned between 3 a.m. and 10 a.m. on Monday, Tuesday, Wednesday and Friday. The downtown streets will be swept on Mondays and Thursdays.

The public parking lots will be swept on a regular basis throughout the warmer months.

Residents are asked to call the Department of Public Services at (810) 225-8001 to report areas of the city that need attention.

# Contact us

Suburban editor Kelley Root, kroot@detnews.com. Phone: (313) 222-2522

# Romulus top cop to resume post

# State Police probe to continue, but mayor says 'we need him'

BY STEVE PARDO The Detroit News

Romulus - Police Chief Michael St. Andre is set to return Monday from a leave of absence that began March 16 in the wake of a Michigan State Police investigation.

"We need him to come back to work," Romulus Mayor Alan Lambert said Wednesday. "I just think it's time for him to come back to work and do his job with this department."

State Police raided the police station, St. Andre's home, his wife's Westland tanning salon and other locations March 15. The chief said those raids stemmed from an investigation that began nearly three years ago.

UNITED STATES BANKRUPTCY COUR

SOUTHERN DISTRICT OF NEW YORK

ated: New York, New York April 18, 2011

MOTORS LIQUIDATION COMPANY, et al.,

At that time, Romulus police tinuing. officials received information that the department's narcotics for the Wayne County Prosecuunit wasn't paying informants tor's Office, declined to comment correctly, said St. Andre, who was then deputy police chief.

An internal investigation found no evidence of wrongdoing, but police went to Lambert and brought it up with the State Police anyway, St. Andre said.

Lambert and St. Andre said they've been cooperating with the investigators since then. Lambert said in March he thought the raids were "overkill."

Detective Sgt. Derran Shelby, who has served as acting chief, will resume his former position. Lambert said the department will continue to cooperate in the investigation.

Lambert said Shelby "did an outstanding job as acting police chief ..."

State Police officials confirmed the investigation is con-

Chapter 11 Case No

09-50026 (REG)

NOTICE OF (I) ENTRY OF ORDER CONFIRMING DEBTORS' SECOND AMENDED JOINT CHAPTER 12

PLAN AND (II) OCCURRENCE OF EFFECTIVE DATE

PLEASE TAKE NOTICE that an order (the "Confirmation Order") (ECF No. 9941) confirming the Debtors' Second Amended Joint Chapter 11 Plan, dated March 18, 2011 (ECF No. 9836) (the "Plan"), of Motors Liquidation Company and its affiliated debtors (collectively, the "Debtors"), was signed by the Honorable Robert E. Gerber, United States Bankruptcy Judge, and entered by the Clerk of the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") on March 29, 2011 (Capitalized terms used beggins but not at brusing defined have the manifest expended to such terms.

2011. Capitalized terms used herein but not otherwise defined have the meanings ascribed to such term

business hours in the office of the Clerk of the Bankruptcy Court, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004. The Confirmation Order is also available for registered users of the Bankruptcy Court's filing system by accessing the Bankruptcy Court's website (<a href="https://www.mysb.uscourts.gov">www.mysb.uscourts.gov</a>) and for all parties at <a href="https://www.mysb.uscourts.gov">www.mysb.uscourts.gov</a>) and <a href="https://wwww.mysb.uscourts.gov">www.mysb.uscourts.gov</a>) and <a href="https://www.mysb.uscourts

PLEASE TAKE FURTHER NOTICE that the Plan and its provisions are binding on the Debtors, the PostEffective Date Debtors, the GUC Trust Administrator, the Asbestos Trust Administrator, the Environmental 
Response Trust Administrative Trustee, the Avoidance Action Trust Administrator, any entity acquiring or 
receiving property or a distribution under the Plan, and any holder of a claim against or equity interest 
the Debtors, including all governmental entities, whether or not the claim or equity interest of such holder is 
impaired under the Plan and whether or not such holder or entity has accepted the Plan.

**PLEASE TAKE FURTHER NOTICE** that the Effective Date of the Plan (as defined in the Plan) occurred March 31, 2011 and, as a result, the Plan has been substantially consummated.

per Trease in the Further Notice that all plouds of talant all sing from the rejection of executory contracts or unexpired leases pursuant to the Plan must be filed with the Bankruptcy Court and served upon the Debtors, the GUC Trust Administrator, the Asbestos Trust Administrator, the Environmental Response Trust Administrator Trustee, and the Avoidance Action Trust Administrator, at the addressess set forth in the Confirmation Order, on or before May 30, 2011. Any claims arising from the rejection of an executory contract or unexpired lease for which a proof of claim has not been filed by such date shall be forever barred and shall not be enforceable against the Debtors, the GUC Trust Administrator, the Asbestos Trust Administrator, the

invironmental Response Trust Administrative Trustee, and the Avoidance Action Trust Administrator, or ar roperty to be distributed under the Plan, the GUC Trust, the Asbestos Trust, the Environmental Respons rust, and the Avoidance Action Trust.

WEIL, GOTSHAL & MANGES LLP

Telephone: (212) 310-8000 Facsimile: (212) 310-8007

Attorneys for Debtors and Post-Effective Date Debtors

PLEASE TAKE FURTHER NOTICE that all proofs of claim arising from the rejection of executory

PLEASE TAKE FURTHER NOTICE that the Confirmation Order is available for inspection during regula

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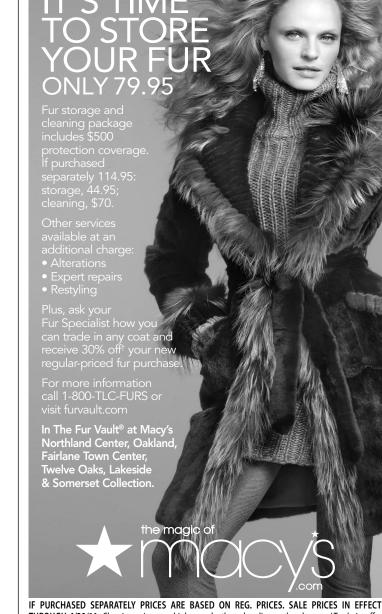
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**AVIS LÉGAUX** 

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En réponse MOTORS LIQUIDATION COMPANY, et consorts, a/c/s General Motors Corp., et consorts Débiteurs.

Chapitre 11, Dossier no. 09-50026 (REG)

AVIS DE (I) L'INSCRIPTION DE L'ORDONNANCE CONFIRMANT LE SECOND AMENDEMENT DU DÉBITEUR POUR LE PLAN COMMUN DE LIQUIDATION DU CHAPITRE 11 ET (II) DATE D'ENTRÉE EN VIGUEUR

À TOUS LES CRÉDITEURS. DÉTENTEURS DE TITRES PARTICIPATIFS ET AUTRES PARTIES CONCERNÉES :

VEUILLEZ PRENDRE NOTE qu'une ordonnance de la Cour (l' « Ordonnance de confirmation ») (ECF N°. 9941) confirme le deuxième amendement du débiteur pour le plan de liquidation commun du chapitre 11, entrée en vigueur le 18 mars 2011 (ECF N°. 9836) (le « Plan »), de Motors Liquidation Company et ses débiteurs affiliés (collectivement, les » Obbiteurs »), a été signée par l'Honorable Robert E. Gerber, juge de la Cour supérieure des États-Unis, division des faillites, et a été enregistrée par le greffier de la Cour supérieure des États-Unis, division des faillites, et a été enregistrée par le greffier de la Cour supérieure des États-Unis, division des faillites, et a été enregistrée par le greffier de la Cour supérieure des États-Unis, division des faillites ») le 29 mars 2011. Les termes commençant par une majuscule, n'étant pas définis et étant utilisés dans le présent document, se sont vus attribuer la définition appropriée au sein du présent Plan.

VEUILLEZ ÉGALEMENT PRENDRE NOTE que l'Ordonnance de confirmation peut être consultée durant les heures normales de bureau, et ce, au bureau du greffier de la Division des faillites, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004. L'Ordonnance de confirmation est également accessible aux utilisateurs inscrits au système d'archives de la Division des faillites, sur le site Web de la Division des faillites (www.nysb.uscourts.gov), ainsi qu'à toutes les parties au www.motorsliquidationdocket.com.

VEUILLEZ ÉGALEMENT PRENDRE NOTE que le Plan et ses clauses lient les Débiteurs, les Débiteurs subséquents à la date d'entrée en vigueur, le gestionnaire fiduciaire du trust des créanciers chirographaires généraux, le gestionnaire fiduciaire de l'amiante (Asbestos Trust Administration, (l'Environmental Response Trust Administrative Trustee), le gestionnaire fiduciaire (Avoidance Action), toute entité acquérant ou recevant la propriété ou la répartition sous le Plan, et tout détenteur d'une réclamation contre ou détenant des titres participatifs du Débiteur, incluant toutes les entités gouvernementales, que cette réclamation ou détention ait été dépréciée ou pas sous ce Plan et que ce détenteur ou entité ait accepté ou pas le Plan

**VEUILLEZ ÉGALEMENT PRENDRE NOTE** que la date d'entrée en vigueur du Plan (telle que définie dans le Plan) est le 31 mars 2011, ce qui signifie que le Plan a substantiellement été entrepris.

VEUILLEZ ÉGALEMENT PRENDRE NOTE que toutes les preuves de réclamation découlant du rejet VEUILLEZ ÉGALEMENT PRENDRE NOTE que toutes les preuves de réclamation découlant du rejet de contrats à exécuter ou de baux arrivés à échéance, conformément au Plan, doivent être déposées au bureau la Division des faillites et exécutées devant les Débiteurs, le gestionnaire fiduciaire du trust des créanciers chirographaires généraux, le gestionnaire fiduciaire de l'amiante (Asbestos Trust Administrator), (l'Environmental Response Trust Administrative Trustee) et le gestionnaire fiduciaire (Avoidance Action), aux adresses mentionnées dans l'Ordonnance de confirmation, le ou avant le 30 mai 2011. Toute réclamation découlant du rejet de contrats à exécuter ou de baux arrivés à échéance pour laquelle une preuve de réclamation n'a pas été déposée avant la date d'échéance sera exclue à jamais et ne pourra pas être opposable aux Débiteurs, gestionnaire fiduciaire du trust des créanciers chirographaires généraux, gestionnaire fiduciaire de l'amiante (Asbestos Trust Administrator), (l'Environmental Response Trust Administrator), (l'Environmental Response Trust Separtie sous le Plan, le fiduciaire du trust des créanciers chirographaires généraux, le fiduciaire de l'amiante (Asbestos Trust Administrator), (l'Environmental Response Trust), le fiduciaire (Avoidance Action).

WEIL, GOTSHAL & MANGES LLP 767 Fifth Avenue New York, New York 10153 Téléphone : (212) 310-8000 Télécopieur : (212) 310-8007

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BUSINESS

WHEELS OF JUSTICE

# N.D.G co-proprietors end up in court

# Defendant vindicated is awarded \$130,000

**PAUL DELEAN** THE GAZETTE

Every month, Quebec judges issue dozens of judgments that, without making headlines, set the ground rules for business in Quebec. Here are a few of the offbeat and/or consequential rulings rendered this

A 63-year-old woman - we'll call her A.B. - who sued to have an N.D.G. property confirmed as her own got exactly the opposite result in Superior Court.

She was done in by a document she'd prepared in 1998 to make it look like she had no assets in order to collect welfare.

A.B. and a woman she met

through a newspaper ad for a roommate-let's call her C.D.-bought the house together in 1988 for \$289,000, and A.B. subsequently ceded her half to C.D. in a notarized docu-

She confirmed as much to social agencies while collecting welfare from 1998 to 2007, saying she was simply a tenant paying rent of \$425 to \$485 a month (although actual rent was never paid).

In 2007, C.D. was hospitalized for several months, and when she attempted to return to the house where she'd paid virtually all expenses since 1993, she was intercepted and turned away by police.

A.B., then living alone in the home, had reported receiving death threats from her, a frivolous claim intended only to force C.D. to live elsewhere for several months, Judge Jean-Pierre Chrétien said in his judgment.

(Charges were dismissed when A.B. didn't show up to testify when

the matter came to court later that

In her suit for the property, A.B. produced a document showing C.D. had in fact ceded her 100 per cent of the house in 1990, but the judge said it was overridden by the private agreement they concluded in 1998 (when A.B. started receiving welfare) which said C.D. was the sole proprietor.

Chrétien acknowledged A.B. paid half of the house initially, but her failure to pay anything (including rent) since 1993 effectively cancelled out her entitlement to reimburse-

He awarded C.D. a further \$30,000 for lost property and \$100,000 in damages for the trouble and inconvenience caused her by A.B. over the years.

Selling your house doesn't necessarily terminate your responsibility for it, as a couple from St. Sauveur discovered.

in 2004, the new buyers got significant water infiltration in the basement. An inspection showed the French drain was not only blocked, but badly installed.

They sued for \$35,277 in repair and renovation costs, arguing it had been a vice not visible when they first had the home inspected.

Quebec Court Judge André Renaud this month awarded them \$18,427, with interest, for drain repairs and professional fees, but rejected the \$13,432 sought for basement renovations.

The defendants had argued that, because the home was 30 years old, the French drain simply reached the end of its working life, but an engineer who testified for the plaintiffs said the key was the faulty installation, not its age.

Judge Renaud nonetheless reduced the amount sought for drain repairs by 25 per cent as a concession to age depreciation.

Four years after the \$265,000 sale **A woman who sued** an off-island daycare centre for \$7,000 after it fired her got a rude awakening in small-claims court.

Not only did Quebec Judge Alain Breault accord her just \$25, he ordered her to pay \$550 to the daycare centre for group health-plan coverage maintained when she stopped showing up for work.

The woman, hired in 2003, began to miss work repeatedly after a car accident in 2005.

At one point, the woman spent two months in Peru without even advising the daycare centre, court

After getting fired in 2008, she sued on the grounds it was abusive and in bad faith and that she was not given due notice.

After weighing the evidence, Breault ruled the employee was terminated in all legality, and with

pdelean@montrealgazette.com

# Canam sees recovery accelerating

SPECIAL TO THE GAZETTE

Quebec's biggest steel fabricator, Canam Group Inc., said Wednesday its order backlog at March 31 was \$519 million, up seven per cent from Dec. 31, as its U.S. business recovers slowly from the 2008-2009 slump in commercial and industrial

But chief operating officer Marc Dutil cautioned it will be a volumeled recovery at first with price improvements coming some time later, with most of Canam's business in the U.S. It has been giving up margins to preserve its job count over the past year.

Marc will step up from president and COO to CEO on Jan. 1, taking over from his father, Marcel Dutil, the company's founder and chief architect, who will remain chairman of the board.

"You can be sure business will be a lot better when he moves into the top spot next year," Marcel Dutil told analysts.

Canam posted a first-quarter loss of \$39.7 million, or 88 cents a share, after making a special \$25-million after-tax provision to cover cost overruns for the steel cables it is installing for the new BC Place retractable roof in Vancouver.

Another factor was settlement of a five-year-old U.S. lawsuit - the terms of which were not disclosed.

Sales in the latest quarter were \$150.6 million, up 48 per cent from a year earlier. In the first quarter of 2010, Canam posted a \$600,000 loss, or one cent a share.

Canam won the \$100-million contract for the steelwork for BC Place's cable-supported retractable roof in 2009. It replaces a trouble-plagued air-supported dome roof.

Marc Dutil said the expected impact of the BC Place project as a whole will be limited to the special charge. Canam lacked experience in cable erection technology, he said, and relied on outside cost estimates, leading to delays. "We hope to recover part of the \$25 million later," he added.

The FabSouth unit in Florida was a solid revenue generator in the March quarter, international business improved and Canadian operations were on the uptrack despite the surging loonie. Capital spending was \$6.5 million, down from \$7.5  $\,$ 

Canam, best known for its steelwork for sports stadiums, office towers and bridges, has 3,000 employees and 25 plants and engineering offices in North America, Romania, India and China and has partnerships in the Mid-East.

# ■ In the NEWS

# TORIES FIRM ON BUDGET

OTTAWA - The Tories will not change the broad outlines of their budget to appease the opposition if they win another minority government on May 2, Finance Minister Jim Flaherty said Wednesday. Flaherty said the budget presented on March 22 had already made concessions to the NDP. REUTERS



Marc Gingras, CEO of Tungle, says the acquisition of his company by Research in Motion will help it achieve its goal of becoming integrated in daily corporate activities when it comes to scheduling.

# **TUNGLE** Company says being acquired should help it improve product and service

# CONTINUED FROM BI

Gingras said it takes a lot of work to grow naturally, and the process involved user surveys, research and interface redesigns.

"What we've seen is that 40 per cent of the people who get exposed to it become Tungle users," he

In November, the company launched its first premium feature, which for a monthly fee of \$4.99 (or \$49.99 annually) allows users to personalize their Tungle sites with their corporate logos or other de-

Last May, Gingras was named entrepreneur of the year by a jury of members of Montreal's tech community, responsible for organizing the annual Startup Camp.

As a prize, he was flown to San lately. Francisco, and then joined the Geeks on a Plane program – a trip with other startup founders to East Asia, with stops in Shanghai, Beijing, Seoul and Singapore to meet other entrepreneurs and potential investors.

On Tungle's website Wednesday morning, Gingras said the company was excited about being acquired.

"We expect the Tungle service to only get better," he wrote.

"Our plan today is what it has always been - for Tungle to become integrated with your daily activities and be ubiquitous within the applications you're already using.

"When you think scheduling, Tungle should be at your finger-

RIM has been on a buying spree

Last month, the company announced a deal to purchase Ontariobased startup tinyHippos Inc., creator of Ripple, a cross-platform mobile application development and testing tool.

In February, RIM revealed it had struck a deal to acquire Seattlebased contact management software firm Gist Inc.

That move came just three months after RIM acquired The  $\boldsymbol{As}\!\!-\!\!$ tonishing Tribe (TAT), a Swedish user interface design firm.

> MATT HARTLEY OF FINANCIAL POST CONTRIBUTED TO THIS REPORT

imagder@montrealgazette.com

Twitter.com/jasonmagder

# **EXPRESS**

# Jazz tuned out after a decade

### **CONTINUED FROM B1**

The rebranding will effectively out an end to the Jazz brand after a decade at Air Canada.

Jazz itself was created in a simiar manner in 2001 as an umbrella brand for Air Canada's various regional subsidiaries, including Air BC, Air Nova, Air Ontario and Canadian Regional Airlines.

But the regional division was eventually spun off as a separate company, Jazz Air Income Fund, in 2004 as part of Air Canada's restructuring under bankruptcy pro-

Jazz Air Income Fund then converted to a corporation at the end of 2010, creating a holding company, Chorus Aviation Inc., and a subsidiary airline, Jazz Aviation LP.

While Jazz Aviation still provides the bulk of Air Canada's regional flying, both Chorus and Air Canada have increasingly been looking to

diversify their business. Chorus announced last year it would begin operating a fleet of 757s on behalf of Thomas Cook Canada Inc. this past winter, in direct com-

petition with Air Canada Vacations. Air Canada, in turn, chose to award its contract from Toronto Island to Sky Regional, which could operate at a lower cost than Jazz.

Air Canada intends to put additional regional service above the threshold guaranteed to Chorus to competitive bidding, the source said.

Air Canada does, however, still have a commercial agreement in place with Chorus extending to

The so-called capacity purchase agreement sees Air Canada purchase effectively all of Chorus's regional capacity at a fixed rate before selling it back into the market, determining where the planes fly as well.

POSTMEDIA NEWS

# Tell us your story

Applications are now available for the 2012 Montreal's Top Employers competition. This year's winning employers will be announced in a special newspaper supplement to be published in The Gazette in January 2012.

Employers complete a single application to be considered for the Montreal competition, the Défi Meilleurs Employeurs and our Canada's Top 100 Employers project, which includes eight specialinterest competitions that we manage with a variety of partners across Canada.

Now in its 7<sup>th</sup> year, the Montreal's Top Employers competition is a unique editorial Canada's Top project that recognizes the employers that lead





their industries in creating progressive workplaces and forward-thinking human resource policies. Our editors release detailed "Reasons for Selection" explaining why the winning employers are selected.

This year's application deadline is May 17, 2011. To obtain an application for your organization or learn more about this year's competition, please visit us online at:

CanadasTop100.com/montreal

NOTICE OF (I) ENTRY OF ORDER CONFIRMING DEBTORS' SECOND AMENDED JOINT CHAPTER 11 PLAN AND (II) OCCURRENCE OF EFFECTIVE DATE

TO ALL CREDITORS, EQUITY INTEREST HOLDERS, AND OTHER PARTIES IN

PLEASE TAKE NOTICE that an order (the "Confirmation Order") (ECF No. 9941) confirming the Debtors' Second Amended Joint Chapter 11 Plan, dated March 18, 2011 (ECF No. 9836) (the "Plan"), of Motors Liquidation Company and its affiliated debtors (collectively, the "Debtors"), was signed by the Honorable Robert E. Gerber, United States Bankruptcy Lough, and entered by the Clerk of the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") on March 29, 2011. Capitalized terms used herein but not otherwise defined have the meanings ascribed to such terms in the Plan. PLEASE TAKE NOTICE that an order (the "Confirmation Order") (ECF No. 9941)

PLEASE TAKE FURTHER NOTICE that the Confirmation Order is available for inspection during regular business hours in the office of the Clerk of the Bankruptcy Court, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004. The Confirmation Order is also available for registered users of the Bankruptcy Court's filing system by accessing the Bankruptcy Court's website (www.nysb.uscourts.gov) and for all parties at <a href="https://www.motorsliquidationdocket.com">www.motorsliquidationdocket.com</a>.

PLEASE TAKE FURTHER NOTICE that the Plan and its provisions are binding on the Debtors, the Post-Effective Date Debtors, the GUC Trust Administrator, the Asbestos Trust Administrator, the Environmental Response Trust Administrative Trustee, the Avoidance Action Trust Administrative acquiring or receiving property or a distribution under the Plan, and any holder of a claim against or equity interest in the Debtors, including all governmental entities, whether or not the claim or equity interest of such holder is impaired under the Plan and whether or not such holder or entity has

PLEASE TAKE FURTHER NOTICE that the Effective Date of the Plan (as defined in the Plan) occurred on March 31, 2011 and, as a result, the Plan has been substantially

PLEASE TAKE FURTHER NOTICE that all proofs of claim arising from the PLEASE TAKE FURTHER NOTICE that all proofs of claim arising from the rejection of executory contracts or unexpired leases pursuant to the Plan must be filed with the Bankruptcy Court and served upon the Debtors, the GUC Trust Administrator, the Asbestos Trust Administrator, the Environmental Response Trust Administrator, and the Avoidance Action Trust Administrator, at the addresses set forth in the Confirmation Order, on or before May 30, 2011. Any claims arising from the rejection of an executory contract or unexpired lease for which a proof of claim has not been filed by such date shall be forever barred and shall not be enforceable against the Debtors, the GUC Trust Administrator, the Asbestos Trust Administrator, the Environmental Response Trust Administrator Trustee, and the Avoidance Action Trust Administrator, or any property to be distributed under the Plan, the GUC Trust, the Asbestos Trust, the Environmental Response Trust, and the Avoidance Action Trust.

WEIL, GOTSHAL & MANGES LLP 767 Fifth Avenue New York, New York 10153 Telephone: (212) 310-8000 Facsimile: (212) 310-8007 Attorneys for Debtors and